

Russell Torralba  
8486 Harlow Terrace  
San Diego, California 92126  
Phone: (858) 201-8047

Defendant, In Pro Se

FILED  
10 MAY 21 AM 9:16

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BANK OF AMERICA NATIONAL  
ASSOCIATION

Plaintiff

vs.

RUSSELL TORRALBA, and  
DOES 1 through 6, INCLUSIVE

Defendants

'10 CV 1107  
Case No.

JLS BGS

NOTICE OF REMOVAL

[28 U.S.C. § 1446]

JURY REQUESTED

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA; TO THE HONORABLE JUDGE OF THE SUPERIOR  
COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, and to Plaintiff,  
BANK OF AMERICA, NATIONAL ASSOCIATION.

Defendant, RUSSELL TORRALBA, hereby provides Notice of Removal of case No. 2010-  
00042071-CL- UD CTL from the Superior Court of the County of San Diego, to the United States  
District Court Southern District of California. This removal is based on the following grounds:

On January 06, 2010 an action was commenced by Plaintiff BANK OF AMERICA N.A.  
against Defendant RUSSELL TORRALBA in the Superior Court of the State of California in and  
for the County of San Diego entitled *Bank of America National Association vs. Torralba, and Does*  
*1-5 Inclusive* bearing San Diego County Superior Court Case No. 37-2010-00042071-CL-UD-CTL,  
regarding real property situated in the State of California (A true copy of the complaint is attached  
hereto as "Exhibit A" and made a part of this pleading.)

OL

1 Contained in Plaintiffs complaint is a verification, signed by the attorney for Plaintiff, namely  
2 David Endres, stating that his client was absent from the County of San Diego and unable to  
3 verify the pleading.

4 Defendant is informed and believes that the headquarters of Plaintiff Bank of America N.A.  
5 is located in the State of North Carolina. Defendant Russell Torralba is domiciled in the State of  
6 California, and the real property subject to the proceeding is situated in the State of California.

7 By reason of the foregoing, the above described action is a civil action which may be  
8 removed to the United States District Court by Defendant Torralba pursuant to the provisions of  
9 28 U.S.C. § 1441(a) and 28 U.S.C. § 1332, because this is between citizens of different states and  
10 whereas, the amount of damages which would be sustained by Defendant would exceed \$75,000.00  
11 exclusive of interest and costs.

12 On the date specified below, a copy of this notice is being served on Plaintiffs attorney and  
13 a copy of this notice is being filed with the clerk of the Superior Court of the State of California, in  
14 and for the County of San Diego.

15 Respectfully submitted by:

16  
17 Date: 5-19-10.



\_\_\_\_\_  
Russell Torralba  
Defendant, In Pro Se

EXHIBIT “A”

FILED  
CIVIL BUSINESS OFFICE 1  
CENTRAL DIVISION

2010 JAN -6 PM 3: 05

CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

1 DAVID R. ENDRES, APC (CA Bar No. 123564)  
THE ENDRES LAW FIRM  
2 A PROFESSIONAL CORPORATION  
2121 2<sup>nd</sup> STREET, SUITE C105  
3 DAVIS, CA 95618  
TELEPHONE: 530-750-3700  
4 FACSIMILE: 530-750-3366  
dendres@dre-apc.com  
5

6 Attorney for Plaintiff  
BANK OF AMERICA, NATIONAL ASSOCIATION  
7

8 SUPERIOR COURT OF CALIFORNIA

9 COUNTY OF SAN DIEGO

10 CENTRAL DIVISION

11 LIMITED CIVIL CASE

Case No. 37-2010-00042071-CL-UD-CTL

12 BANK OF AMERICA, NATIONAL  
ASSOCIATION,

13 Plaintiff,

14 v.

VERIFIED COMPLAINT FOR  
UNLAWFUL DETAINER

15  
16 RUSSEL TORRALBA, and DOES 1-5,

17 Defendants.  
18

AMOUNT DEMANDED DOES NOT  
EXCEED \$10,000

19 Plaintiff alleges:

20 1. Plaintiff is a national banking association, duly chartered by the United States

21 of America, with its principal offices located in the City of Charlotte, County of Mecklenburg, State  
22 of North Carolina, and is and was at all times mentioned herein qualified to do business in  
23 California.

24 2. The real property, possession of which is sought in this action, is situated in  
25 San Diego County, California, in the above-named judicial district, and is commonly described as:  
26 8486 Harlow Terrace, San Diego, California 92126. Assessor's Parcel Number 309-281-11-00 ("the  
27 Property").

28 3. The true names and capacities of Does 1 through 5, inclusive, are presently

1 unknown to plaintiff, who therefore sues such defendants under such fictitious names pursuant to  
 2 Section 474 of the California Code of Civil procedure. Plaintiff is informed and believes, and on  
 3 such information and belief alleges, that each such "Doe" defendant is in possession of the Property,  
 4 without the permission or consent of plaintiff, and plaintiff will amend this complaint to state the  
 5 true names and capacities of said defendants when the same have been ascertained.

6           4.       On August 25, 2009, the Property was sold to plaintiff in accordance with  
 7 Civil Code Sections 2923.5 and 2924 *et seq.* under a power of sale contained in a Deed of Trust  
 8 dated September 1, 2004, executed by RUSSEL TORRALBA, as trustor(s). Plaintiff's title pursuant  
 9 to the sale has been duly perfected and a Trustee's Deed conveying title to plaintiff has been duly  
 10 recorded in the county where the Property is situated. A copy of said Trustee's Deed is attached  
 11 hereto, marked as Exhibit "A", and incorporated herein by this reference.

12           5.       Plaintiff is the owner of, and entitled to immediate possession of the property.

13           6.       On December 30, 2009, in the manner provided by law, plaintiff caused to be  
 14 served on defendant a written notice requiring defendants to vacate and deliver up possession of the  
 15 Property to plaintiff within 3 days after service of said notice. A copy of said Notice is attached  
 16 hereto, marked as Exhibit "B", and made a part hereof. The Notice was served in the manner  
 17 provided by law and as more particularly described in the attached Proof of Service, marked as  
 18 Exhibit "C", which is incorporated herein by this reference.

19           7.       More than 3 days have elapsed since the service of said Notice, but defendants  
 20 have failed and refused to deliver up possession of the Property.

21           8.       Defendants continue in possession of the Property without plaintiff's  
 22 permission or consent.

23           9.       The reasonable value for the use and occupancy of the Property is the sum of  
 24 \$60.00 per day, and damages to plaintiff caused by defendants' unlawful detention thereof have  
 25 accrued at said rate since January 4, 2010, and will continue to accrue at said rate so long as  
 26 defendants remain in possession of the Property.

27           10.       Pursuant to California Evidence Code Section 453, Plaintiff states that at the  
 28 time of trial it will request judicial notice be taken of certified copy of the recorded document

1 referred to in paragraph 4 hereof and all proofs of service then on file herein.

2 WHEREFORE, plaintiff prays judgment against defendants as follows:

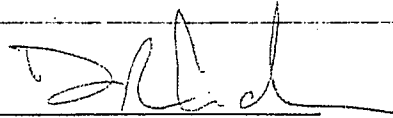
- 3 1. For restitution and possession of the Property;
- 4 2. For damages in the amount of \$60.00 per day from January 4, 2010, and for
- 5 each day that defendants continue in possession of the Property through the
- 6 date of entry of judgment; and
- 7 3. For costs and for such other and further relief as the court may deem just and
- 8 proper.

9

10 THE ENDRES LAW FIRM

11

12 Dated: January 4, 2010

By:   
David R. Endres, APC  
Attorney for Plaintiff  
BANK OF AMERICA, NATIONAL  
ASSOCIATION

VERIFICATION


I, the undersigned, declare:

I have read the foregoing Verified Complaint For Unlawful Detainer and know its contents.

I am the attorney or one of the attorneys for BANK OF AMERICA, NATIONAL ASSOCIATION, a party to this action. Such is absent from the county where I or such attorneys have their offices and is unable to verify the document described above. For that reason, I am making this verification for and on behalf of that party. I am informed and believe and on that basis allege that the matters stated in said document are true and correct.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 4th day of January, 2010, at Davis, California.

By:   
David R. Endres, Attorney at Law

Recording Requested By and When Recorded Mail to:  
FIRST AMERICAN LOANSTAR TRUSTEE  
SERVICES  
P.O. BOX 961253  
Fort Worth, TX 76161  
Mail Tax Statements To:  
AMERICA'S SERVICING COMPANY  
3476 STATEVIEW BLVD., FORECLOSURE MAC  
# 7801-013  
FT. MILL, SC 29715

CERTIFIED BY FIRST AMERICAN TITLE  
INSURANCE COMPANY TO BE A COPY  
OF THE DOCUMENT RECORDED ON 08/31/2009  
AS INSTRUMENT NO. 2009-0486025  
IN BOOK PAGE  
OFFICIAL RECORDS OF SAN DIEGO

APN NO.: 309-281-11-00  
TITLE ORDER NO.: 4088293  
TS NO.: 20099134002754  
LOAN TYPE: Conventional

Space above this line for Recorder's use only

CALIFORNIA

### TRUSTEE'S DEED UPON SALE

The undersigned grantor declares under penalty of perjury:

- 1) The grantee herein WAS the foreclosing beneficiary.
- 2) The amount of the unpaid debt together with costs was.....\$ 565,271.79
- 3) The amount paid by the grantee at the trustee sale was..... \$ 350,000.00
- 4) The documentary transfer tax is..... \$ 0.00
- 5) Said property is INCORPORATED / ~~UNINCORPORATED~~ SAN DIEGO

and FIRST AMERICAN LOANSTAR TRUSTEE SERVICES, (herein called Trustee), as the duly appointed Trustee under the Deed of Trust hereinafter described, does hereby grant and convey, but without warranty, express or implied to

Bank of America National Association as Successor by Merger to LaSalle Bank National Association, as Trustee for the Structured Asset Securities Corporation Trust 2005-WMC1

(herein called Grantee), all of its right, title and interest in and to that certain property situated in the County of SAN DIEGO, State of CALIFORNIA, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

#### RECITALS:

This conveyance is made pursuant to the powers conferred upon Trustee by that certain Deed of Trust dated 9/1/2004 and executed by,

RUSSEL TORRALBA,

RECORDING REQUESTED BY  
FIRST AMERICAN TITLE COMPANY  
AS AN ACCOMMODATION ONLY - J.S.

(Page 1 of 4)

XANDTSACADS\_000.RPT

EXHIBIT A

APN NO.: 309-281-11-00  
TITLE ORDER NO.: 4083293  
TS NO.: 20099134002754  
LOAN TYPE: Conventional

CALIFORNIA

### TRUSTEE'S DEED UPON SALE

as Trustor, and recorded 9/7/2004, as Instrument No. 2004-0850071, in Book , Page of Official Records of SAN DIEGO County, CALIFORNIA, and after fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance.

Default occurred as set forth in a Notice of Default and Election to Sell which was recorded in the office of the Recorded of said County.

All requirements of law and the applicable Deed of Trust, including, but not limited to those enumerated by Civil Code 2924 et. seq, regarding the mailing, publication, personal delivery and posting of the Notice of Default and Notice of Sale, as respectively appropriate, have been met.

Said property was sold by said Trustee at public auction on 8/25/2009 at the place named in the Notice of Sale, in the County of SAN DIEGO CALIFORNIA, in which the property is situated. Grantee, being the highest bidder at such sale, became the purchaser of said property and paid therefore to said trustee the amount of \$350,000.00 in lawful money of the United States, or by the satisfaction, pro tanto, of the obligations then secured by said Deed of Trust.

EXHIBIT A

LEGAL DESCRIPTION

LOT 161 OF MIRA MESA NORTH UNIT NO. 2, IN THE CITY OF SAN DIEGO,  
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP  
THEREOF NO. 7949, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN  
DIEGO COUNTY, MARCH 31, 1974.

Date : AUG 26 2009

First American Loanstar Trustee Services

By : 

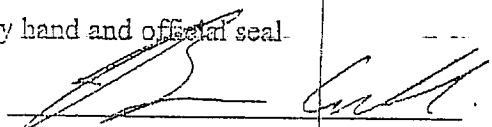
Robert Bourne, Trustee Officer

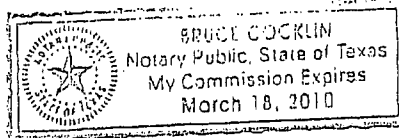
State of Texas  
County of Tarrant

Before me Bruce Cocklin, on this day personally appeared Robert Bourne, known to me to be the person whose name is subscribed to therefore going instrument and acknowledged to me that this person executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this day of AUG 26 2009

Witness my hand and official seal

Signature : 



NOTICE TO OCCUPANT(S) TO VACATE PREMISES

Located At:

8486 HARLOW TERRACE  
SAN DIEGO, CA 92126

TO RUSSEL TORRALBA, AND ALL PERSONS WHO ARE IN THE POSSESSION OF AND OCCUPY THE REAL PROPERTY AT THE ABOVE ADDRESS:

YOU ARE HEREBY NOTIFIED that your right to occupy the real property at the above address has been terminated as the result of the sale of said property by the Trustee under a power of sale contained in a Deed of Trust which appeared of record against said property.

You are required to quit and deliver up possession of the above real property to the undersigned, as agent for the owner, within the notice period specified below. In the event you fail to do so you will be deemed to be unlawfully detaining the premises, which will result in commencement of court proceedings against you by the owner to recover possession of the premises, together with court costs and the reasonable rental value of the property for each day of your continued occupancy thereof.

NOTICE

To avoid a lawsuit and the associated expense, it is necessary for you to vacate the above property within THREE (3) Days after service upon you of this Notice, unless (1) you obtained possession of the property as a "tenant or subtenant" under a "lease or rental agreement" as those terms are used in California Code of Civil Procedure section 1161b, in which event it will be necessary for you to vacate the premises within SIXTY (60) DAYS after service upon you of this Notice; or (2) you obtained possession of the property as a "bona fide tenant" under a "bona fide lease" as those terms are used in the Protecting Tenants at Foreclosure Act of 2009, in which event it will be necessary for you to vacate the premises within NINETY (90) days after service upon you of this Notice; or (3) you obtained possession of the property as a Section 8 tenant, in which event it will be necessary for you to vacate the premises within NINETY (90) days after service upon you of this Notice.

You must contact the undersigned by telephone within 72 HOURS in the event you occupy the property as a tenant or subtenant, and be able to provide proof of tenancy or subtenancy.

This Notice is authorized pursuant to the provisions of Section 1161a(b)(3) of the California Code of Civil Procedure.

DATED: 12/29/2009

Authorized Agent For Owner:  
THE ENDRES LAW FIRM



David R. Endres, APC  
(530) 601-5166

CaseID 104682

Exhibit B

PROOF OF SERVICE

I, the undersigned, declare that I served the Notice(s) below indicated:

Notice to Occupant(s) to Vacate Premises

The above described Notice(s) were served on the following named parties in the manner set forth below:

NAME: RUSSEL TORRALBA

ADDRESS: 8486 HARLOW Terrace, SAN DIEGO, CA 92126

☐ 1. PERSONAL SERVICE

By delivering a copy of the Notice(s) to each of the above personally:

(1) on:

(2) at:

☒ 2. CONSTRUCTIVE SERVICE

After due and diligent effort, by service of said Notice(s) as authorized by C.C.P. Section 1162 (2,3) on each of the above named parties in the manner set forth below:

☒ By posting a copy for each of the above named parties on 12/30/2009 at 7:16 AM in a conspicuous place on the property;

☒ and thereafter mailing a copy to each said party by depositing said copies in the United States mail on (date): December 30th, 2009, from (city): SAN DIEGO, CA, in a sealed envelope with postage fully prepaid, addressed to each said party at their place where the property is situated or,

☐ a declaration of mailing is attached.

At the time of service, I was at least 18 years of age. I declare under penalty of perjury that the foregoing is true and correct.

Person who served papers

- a. Name: Jerald Gregg  
b. Address: 2900 Fourth Avenue, Ste #206, SAN DIEGO, CA 92103  
c. Telephone number: 619-232-1920  
d. The fee for service was: \$89.50  
e. I am:

(1) ☐ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☒ registered California process server:

(i) ☐ owner ☐ employee ☒ independent contractor

(ii) ☒ Registration No.: 877

(iii) ☒ County: San Diego

☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
or

☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 12/30/2009

Jerald Gregg

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

  
(SIGNATURE)

PROOF OF SERVICE

Page 1 of 1

Order No. 6176945 SEA FIL



Exhibit C

PROOF OF SERVICE

I, the undersigned, declare that I served the Notice(s) below indicated:  
Notice to Occupant(s) to Vacate Premises

The above described Notice(s) were served on the following named parties in the manner set forth below:

NAME: ALL PERSONS IN POSSESSION, C/O RUSSEL TORRALBA  
ADDRESS: 8486 HARLOW Terrace, SAN DIEGO, CA 92126

☐ 1. PERSONAL SERVICE

By delivering a copy of the Notice(s) to each of the above personally:  
(1) on:  
(2) at:

☒ 2. CONSTRUCTIVE SERVICE

After due and diligent effort, by service of said Notice(s) as authorized by  
C.C.P. Section 1162 (2,3) on each of the above named parties in the  
manner set forth below:

☒ By posting a copy for each of the above named parties on 12/30/2009 at 7:16 AM in a conspicuous place  
on the property;

☒ and thereafter mailing a copy to each said party by depositing said copies in the United States mail on  
(date): December 30th, 2009, from (city): SAN DIEGO, CA, in a sealed envelope with postage fully prepaid,  
addressed to each said party at their place where the property is situated or,

☐ a declaration of mailing is attached.

At the time of service, I was at least 18 years of age. I declare under penalty of perjury that the foregoing is true and correct.

Person who served papers

- a. Name: Jerald Gregg  
b. Address: 2900 Fourth Avenue, Ste #206, SAN DIEGO, CA 92103  
c. Telephone number: 619-232-1920  
d. The fee for service was: \$  
e. I am:  
(1) ☐ not a registered California process server.  
(2) ☐ exempt from registration under Business and Professions Code section 22350(b).  
(3) ☒ registered California process server:  
(i) ☐ owner ☐ employee ☒ independent contractor  
(ii) ☒ Registration No.: 877  
(iii) ☒ County: San Diego

☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
or

☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 12/30/2009

Jerald Gregg

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

PROOF OF SERVICE

Page 1 of 1

Order No. 6176945 SEA FIL



JS 44 (Rev. 12/07)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS****BANK OF AMERICA NATIONAL ASSOCIATION**(b) County of Residence of First Listed Plaintiff CHARLOTTE N.C.  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

**DEFENDANTS****RUSSELL TORRALBA**County of Residence of First Listed Defendant S. DISTRICT COURT  
(IN U.S. PLAINTIFF CASES ONLY) CALIFORNIA

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

**10 CV 1107****JLS BGS****II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☐ 1 ☒ 1 PTF DEF
- Citizen of Another State ☐ 2 ☐ 2 PTF DEF
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 PTF DEF
- Incorporated or Principal Place of Business In This State ☐ 4 ☒ 4
- Incorporated and Principal Place of Business In Another State ☒ 5 ☐ 5
- Foreign Nation ☐ 6 ☐ 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input checked="" type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
15 USC 1692

Brief description of cause:

FEDERAL TRUTH IN LENDING**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23**DEMAND \$**

CHECK YES only if demanded in complaint:

**JURY DEMAND:** ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

05/20/2010

SIGNATURE OF ATTORNEY OF RECORD

Russell Torralba

FOR OFFICE USE ONLY

RECEIPT #

13797

AMOUNT

\$350-

APPLYING IFP

JUDGE

MAG. JUDGE

OK05.21.10

Court Name: USDC California Southern  
Division: 3  
Receipt Number: CAS013797  
Cashier ID: mbain  
Transaction Date: 05/21/2010  
Payer Name: BANK OF AMERICA V TORRALBA

-----  
CIVIL FILING FEE  
For: BANK OF AMERICA V TORRALBA  
Case/Party: D-CAS-3-10-CV-001107-001  
Amount: \$350.00  
-----

CASH  
Amt Tendered: \$350.00  
-----

Total Due: \$350.00  
Total Tendered: \$350.00  
Change Amt: \$0.00

There will be a fee of \$45.00  
charged for any returned check.